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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,158	01/13/2004	William Kress Bodin	AUS920031001US1	3349
70426	7590	11/19/2010		
IBM AUSTIN IPLAW (DG) C/O DELIZIO GILLIAM, PLLC 15201 MASON ROAD, SUITE 1000-312 CYPRESS, TX 77433				
EXAMINER				
RUTLEDGE, AMELIA L.				
ART UNIT		PAPER NUMBER		
2176				
NOTIFICATION DATE		DELIVERY MODE		
11/19/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@DELIZIOGILLIAM.COM

### Office Action Summary

**Application No.**

10/756,158

**Applicant(s)**

BODIN ET AL.

**Examiner**

AMELIA RUTLEDGE

**Art Unit**

2176

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 40-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 40-45, 48-52, and 54-56 is/are rejected.
- 7) ☐ Claim(s) 46, 47 and 53 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to the following communications: Amendment, filed 05/19/2010; RCE, filed 05/19/2010.
2. Claims 40-56 are pending. Claims 40, 49, and 54 are independent claims.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 05/19/2010 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 40-43 and 48-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. ("Brown"), U.S. Patent No. 6,587,822 B2, issued July 2003, Appl. No. 09/168,405 filed October 1998.**

**Regarding independent claim 40,** Brown teaches *a method of presenting content of a tagged document in a presentation session in accordance with a spoken document navigation instruction, the method comprising:*

*determining a document navigation action and a structural element tag associated with the spoken document navigation instruction;* because Brown teaches a platform for implementing interactive voice response (IVR) applications over the internet, which includes a web browser which performs analysis of text and other web page information supplied by an HTML parser and generates corresponding verbal descriptions, and a voice processor which generates corresponding verbal descriptions which are utilized by a grammar generator to produce one or more speech recognition grammars which are delivered to a speech recognizer, and receives speech input in order to generate corresponding command signals to navigate the web pages (col. 1, l. 40-col. 2, l. 42; col. 2, l. 46-col. 4, l. 30; col. 5, l. 7-col. 6, l. 40).

Brown teaches *selecting a next content of the tagged document that is tagged with a first instance of the structural element tag, said selecting in accordance with the document navigation action with respect to a currently presented content of the tagged document;* since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59).

Brown teaches *transmitting, via a network to a plurality of machines connected to the presentation session, indications to change from presenting the currently presented content to the next content*; because Brown teaches that the IVR platform may be implemented using several interconnected computers or by a network connection (col. 4, l. 14-46).

**Regarding dependent claim 41**, Brown teaches *the method of claim 40, wherein the structural element tag indicates a structural element that comprises one of a page, bullet, header, title, paragraph, subtitle, row, column, cell, slide, and image*; because Brown teaches a platform for implementing interactive voice response (IVR) applications over the internet, which includes a web browser which performs analysis of text and other web page information supplied by an HTML parser (col. 1, l. 40-col. 2, l. 42; col. 2, l. 46-col. 4, l. 30; col. 5, l. 7-col. 6, l. 40). Brown teaches structural element tags for table rows and columns (col. 5, l. 18-59).

**Regarding dependent claim 42**, Brown teaches *the method of claim 41, wherein the document navigation action indicates navigating to one of a next structural element, a previous structural element, and a structural element defined by a parameter in the spoken document navigation instruction*; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59).

**Regarding dependent claim 43**, Brown teaches *the method of claim 40, wherein said selecting the next content of the tagged document in accordance with the document navigation action with respect to the currently presented content element*

*comprises selecting the next content based on a first value assigned to the first instance of the structural element tag and a second value of second instance of the structural element tag that tags the currently presented content element; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead, including by values including frames, tables, and other structures and fields (col. 4, l. 47-col. 5, l. 59).*

**Regarding dependent claim 48,** Brown teaches *the method of claim 40 further comprising: determining that the spoken document navigation action includes a parameter for the document navigation action, wherein said selecting the next content of the tagged document is also based on the parameter; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead, including by values including frames, tables, and other structures and fields (col. 4, l. 47-col. 5, l. 59).*

**Regarding independent claim 49,** Brown teaches *a computer program product for presenting content of a tagged document in a presentation session in accordance with a spoken document navigation instruction, the computer program product comprising a recording medium having program instructions recorded therein, the program instructions to cause, when executed, a machine to perform operations that comprise: determining a document navigation action and a structural element tag associated with the spoken document navigation instruction; because Brown teaches a platform for implementing interactive voice response (IVR) applications over the internet, which includes a web browser which performs analysis of text and other web*

page information supplied by an HTML parser and generates corresponding verbal descriptions, and a voice processor which generates corresponding verbal descriptions which are utilized by a grammar generator to produce one or more speech recognition grammars which are delivered to a speech recognizer, and receives speech input in order to generate corresponding command signals to navigate the web pages (col. 1, l. 40-col. 2, l. 42; col. 2, l. 46-col. 4, l. 30; col. 5, l. 7-col. 6, l. 40).

Brown teaches *searching, from a currently presented content in a direction indicated by the document navigation action, for a next content within the tagged document that is tagged with an instance of the structural element tag*; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59).

Brown teaches *selecting the next content; and communicating, to a plurality of machines logged into the presentation session, indications to change from presenting the currently presented content to the next content*; because Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59). Brown teaches that the IVR platform may be implemented using several interconnected computers or by a network connection (col. 4, l. 14-46).

**Regarding dependent claim 50**, Brown teaches *the computer program product of claim 49, wherein the direction can comprise one of next, previous, forward, and backward*; since Brown teaches that the page can be described by content or by

structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59).

**Regarding dependent claim 51**, Brown teaches *the computer program product of claim 49, wherein said operation of searching, from the currently presented content in the direction indicated by the document navigation action, for the next content within the tagged document that is tagged with the instance of the structural element tag further comprises searching for the next content with the instance of the structural element tag assigned a value that corresponds to a parameter associated with the navigation action, wherein the spoken document navigation instruction indicates the parameter*; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead, including by values including frames, tables, and other structures and fields (col. 4, l. 47-col. 5, l. 59).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 44, 45, 52, and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Dodrill et al. ("Dodrill"), U.S. Patent No. 7,308,484 B1, issued December, 2007, Appl. No. 09/608,232 filed June 2000.**



**Regarding dependent claim 44**, Brown teaches *the method of claim 40 further comprising: selecting a second next content also tagged with the first instance of the structural element tag, wherein the second next content comprises a different version of the next content*; because Brown teaches two modes of page description including description and inspection mode, as well as different page breakdowns (col. 8, l. 11-50).

Brown teaches *determining that the next content is tagged with a first instance of an attribute tag that is assigned a first attribute value*; since Brown teaches navigating among section headers and lists, for example (col. 8, l. 11-col. 9, l. 21; col. 9, l. 13-col. 10, l. 64).

Brown teaches *determining that the second next content is tagged with a second instance of the attribute tag that is assigned a second attribute value*; since Brown teaches navigating among section headers and lists, for example (col. 8, l. 11-col. 9, l. 21; col. 9, l. 13-col. 10, l. 64).

Brown suggests but does not explicitly teach *determining that the first plurality of machines are associated with user profiles that indicate the first attribute value and that a second plurality of machines are associated with user profiles that indicate the second attribute value, wherein the second plurality of machines are connected to the presentation session*; because, Brown does teach that Java code might be used to perform operations at the server that could control remote devices through the Internet, to create a dialog system to control the output of web page information to the user (col. 14, l. 1-21). However, Brown does not teach user profiles. Dodrill is relied upon to teach user profiles for a presentation session via a network, where tag attribute values

are provided according to the capabilities of the media client device (Fig. 2; col. 11, l. 6-col. 13, l. 22).

Brown teaches *transmitting, via the network to the second plurality of machines, indications to change from presenting the currently presented content to the second next content*; because Brown teaches that the IVR platform may be implemented using several interconnected computers or by a network connection (col. 4, l. 14-46).

Both Brown and Dodrill are directed to interactive voice response systems for the internet and markup language documents. It would have been obvious to combine the systems of Brown and Dodrill, since Dodrill disclosed that prior web based applications were state-less and transient in nature and did not maintain application state (col. 1, l. 48-col. 2, l. 9), and Dodrill provided the benefit of an improved approach for providing an audibly controlled user interface for a user of a telephone or other audio communication device (col. 4, l. 19-59).

**Regarding dependent claim 45**, Brown teaches *the method of claim 44, wherein the attribute tag indicates one of company affiliation, department membership, technical ability, and security authorization level*; because Brown teaches that the server accesses profile information from a subscriber database, where the database includes personalized data for each subscriber (col. 18, l. 22-37; col. 19, l. 61-col. 20, l. 52), as well as the technical capability of the user device (col. 17, l. 2-36).

**Regarding dependent claim 52**, Brown teaches *the computer program product of claim 49, wherein the operations further comprise: determining that the next content comprises a first version of the next content and a second version of the next content*,

*wherein the first version of the next content is tagged with a first instance of an attribute tag assigned a first attribute value and the second version of the next content is tagged with a second instance of the attribute tag assigned a second value; because Brown teaches two modes of page description including description and inspection mode, as well as different page breakdowns (col. 8, l. 11-50); and since Brown teaches navigating among section headers and lists, for example (col. 8, l. 11-col. 9, l. 21; col. 9, l. 13-col. 10, l. 64).*

Brown suggests but does not explicitly teach *determining that a first of the plurality of machines is associated with a first user profile that indicates the first value and a second of the plurality of machines is associated with a second user profile that indicates the second value, wherein said communicating the indications to change from presenting the currently presented content to the next content comprises, communicating a first of the indications to the first of the plurality of machines to change from presenting the currently presented content to the first version of the next content, communicating a second of the indications to the second of the plurality of machines to change from presenting the currently presented content to the second version of the next content*; because, Brown does teach that Java code might be used to perform operations at the server that could control remote devices through the Internet, to create a dialog system to control the output of web page information to the user (col. 14, l. 1-21). However, Brown does not teach user profiles. Dodrill is relied upon to teach user profiles for a presentation session via a network, where tag attribute values and content

versions are provided according to the capabilities of the media client device profile (Fig. 2; col. 11, l. 6-col. 13, l. 22).

Both Brown and Dodrill are directed to interactive voice response systems for the internet and markup language documents. It would have been obvious to combine the systems of Brown and Dodrill, since Dodrill disclosed that prior web based applications were state-less and transient in nature and did not maintain application state (col. 1, l. 48-col. 2, l. 9), and Dodrill provided the benefit of an improved approach for providing an audibly controlled user interface for a user of a telephone or other audio communication device (col. 4, l. 19-59).

**Regarding independent claim 54,** Brown teaches *a system comprising: a processor; a network interface operable to receive a spoken document navigation instruction; and a recording medium having program instructions recorded therein, the program instructions to cause, when executed, the processor to, determine a document navigation action and a structural element tag associated with the spoken document navigation instruction;* because Brown teaches a platform for implementing interactive voice response (IVR) applications over the internet, which includes a web browser which performs analysis of text and other web page information supplied by an HTML parser and generates corresponding verbal descriptions, and a voice processor which generates corresponding verbal descriptions which are utilized by a grammar generator to produce one or more speech recognition grammars which are delivered to a speech recognizer, and receives speech input in order to generate corresponding command

signals to navigate the web pages (col. 1, l. 40-col. 2, l. 42; col. 2, l. 46-col. 4, l. 30; col. 5, l. 7-col. 6, l. 40).

Brown teaches *search, from a currently presented content of a tagged document in a direction indicated by the document navigation action, for a next content within the tagged document that is tagged with an instance of the structural element tag; select the next content*; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59).

Brown suggests but does not explicitly teach *communicate, to a plurality of machines logged into a presentation session, indications to change from presenting the currently presented content to the next content*; because Brown teaches that the IVR platform may be implemented using several interconnected computers or by a network connection (col. 4, l. 14-46). Brown teaches that Java code might be used to perform operations at the server that could control remote devices through the Internet, to create a dialog system to control the output of web page information to the user (col. 14, l. 1-21). However, Brown does not teach user profiles. Dodrill is relied upon to teach user profiles for a presentation session via a network, where tag attribute values and content versions are provided according to the capabilities of the media client device profile (Fig. 2; col. 11, l. 6-col. 13, l. 22).

Both Brown and Dodrill are directed to interactive voice response systems for the internet and markup language documents. It would have been obvious to combine the systems of Brown and Dodrill, since Dodrill disclosed that prior web based applications

were state-less and transient in nature and did not maintain application state (col. 1, l. 48-col. 2, l. 9), and Dadrill provided the benefit of an improved approach for providing an audibly controlled user interface for a user of a telephone or other audio communication device (col. 4, l. 19-59).

**Regarding dependent claim 55,** Brown teaches *wherein the structural element tag indicates a structural element that comprises one of a page, bullet, header, title, paragraph, subtitle, row, column, cell, slide, and image*; because Brown teaches a platform for implementing interactive voice response (IVR) applications over the internet, which includes a web browser which performs analysis of text and other web page information supplied by an HTML parser (col. 1, l. 40-col. 2, l. 42; col. 2, l. 46-col. 4, l. 30; col. 5, l. 7-col. 6, l. 40). Brown teaches structural element tags for table rows and columns (col. 5, l. 18-59).

**Regarding dependent claim 56,** Brown teaches *wherein the document navigation action indicates navigating to one of a next structural element, a previous structural element, and a structural element defined by a parameter in the spoken document navigation instruction*; since Brown teaches that the page can be described by content or by structure, and teaches that the user can command the IVR platform to pause, backup, and skip ahead (col. 4, l. 47-col. 5, l. 59).

***Allowable Subject Matter***

Claims 46 and 47, and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claim 46 contains the following limitations which are believed to be allowable over the prior art:

*...determining a second document navigation action and a second structural element tag associated with a second spoken document navigation instruction;*

*selecting a second next content of the tagged document that is tagged with a first instance of the second structural element tag, said selecting the second next content being in accordance with the second document navigation action with respect to the next content; and*

*transmitting, via the network to the plurality of machines connected to the presentation session, indications to change from presenting the next content to the second next content in accordance with a difference between a first time stamp associated with the spoken document navigation instruction and a second time stamp associated with the second spoken document navigation instruction.*

Claim 47 depends from claim 46. Dependent claim 53 contains similar limitations to the limitations recited in dependent claim 46, and is believed to recite features allowable over the prior art.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Goose et al.**            **U.S. Pub. No. 2003/0187656 A1 published    October 2003**

**Chinn et al.**            **U.S. Pub. No. 2002/0010715 A1 published    January 2002**

**Coles, et al., " A Framework for Coordinated Multi-Modal Browsing with Multiple Clients" WWW 2003, May 2003, ACM, p. 718-726.**

*Coles teaches use of timestamps for events to synchronize referenced data elements; but does not teach ... transmitting, via the network to the plurality of machines connected to the presentation session, indications to change from presenting the next content to the second next content in accordance with a different between a first time stamp associated with the spoken document navigation instruction and a second time stamp associated with the second spoken document navigation instruction (Claim 46).*

**Luz, et al., " A Tool for Interactive Advice on the Use of Speech in Multimodal Systems" Journal of VLSI Signal Processing 29, 129-137, copyright 2001 Kluwer Academic Publishers, p. 1-9.**

**Huang, et al., " A Semantic Transcoding System to Adapt Web Services for Users with Disabilities" ASSETS'00, November 13-15, 2000, Arlington, Virginia, Copyright 2000 ACM, p. 156-163.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/  
Primary Examiner, Art Unit 2176